



**Amendments to the Federal Rules of Bankruptcy Procedure;  
New IRS Address; Redaction of Personally Identifiable Information;  
CM/ECF Toolbar Help; Corrective Entry Reminders**



**Rule Changes**

Effective December 1, the following Federal Rules of Bankruptcy Procedure will change. Under 28 U.S.C. §2074(a) and the April 28, 2010 Supreme Court orders, the amendments will govern all proceedings commenced on or after December 1, 2010, and all proceedings then pending “insofar as just and practicable.”

- Bankruptcy Rule 1007: The amendment shortens time, from 14 to 7 days, for a debtor to file a list of creditors after the entry of an order for relief in an involuntary case. The amendment also extends time for individual chapter 7 debtors to file a statement of completion of course in personal financial management from 45 to 60 days.
- Bankruptcy Rule 1014: The amendment includes chapter 15 cases among those subject to the rule that authorizes the court to determine where cases should proceed when multiple petitions involving the same debtor are pending.
- Bankruptcy Rule 1015: The amendment includes chapter 15 cases among those subject to the rule authorizing the court to order consolidation or joint administration of cases.
- Bankruptcy Rule 1018: The amendment reflects the 2005 enactment of chapter 15.
- Bankruptcy Rule 1019: With some exceptions, a new time period to object to a claim of exemption arises when a case is converted to chapter 7 from chapter 11, 12, or 13. The new time period does not arise if the conversion occurs more than one year after the first order confirming a plan or if the case was previously pending under chapter 7 and the objection period had expired in the original chapter 7 case.

- Bankruptcy Rule 4001: Amended to change two time periods that were inadvertently omitted from the time computation amendments package of 2009. The time period for filing objections to certain motions is changed from 15 to 14 days of the mailing of notice. The length of notice required for hearings to approve or disapprove an agreement on a motion for relief from stay if an objection is filed or if the Court determines that a hearing is appropriate is changed from 5 to 7 days.
- Bankruptcy Rule 4004: The amendment:
  - Includes a new deadline for filing of motions (rather than complaints) objecting to a debtor's discharge under §§ 727(a)(8), (a)(9), 1328(f) of the Bankruptcy Code (all related to previous discharge of the debtor); and
  - Directs the court not to grant a chapter 7 discharge if a motion or complaint objecting to discharge has been filed unless the motion or objection has been decided in the debtor's favor; and
  - Directs the court in chapter 11 and 13 cases to withhold the entry of the discharge if the debtor has not filed with the court a statement of completion of a course concerning personal financial management.
- Bankruptcy Rule 5009: Amended to add new subdivisions (b) and (c) to the rule. Subdivision (b) requires the clerk to provide notice to individual debtors in chapter 7 and 13 cases that their cases may be closed if they fail to file a statement of completion of financial management course. Subdivision (c) requires a foreign representative in a chapter 15 case to file and give notice of the filing of a final report.
- Bankruptcy Rule 5012: A new rule establishing procedures in chapter 15 cases for obtaining approval of an agreement regarding communications and coordination of proceedings with cases involving the debtor pending in other countries.
- Bankruptcy Rule 7001: Permits objections to discharge under §§727(a)(8), (a)(9), and §1328(f) to be commenced by motion rather than by complaint, corresponding to the proposed amendment to Rule 4004.
- Bankruptcy Rule 9001: The amendment adds §1502 to the list of definitions in the Bankruptcy Code.

- Official Forms 9A, 9C, and 9I (technical changes that conform to the amendments to Bankruptcy Rules 4004 and 7001).
- Official Forms 20A and 20B (technical and conforming amendments)
- Official Forms 22A, 22B, and 22C (Forms 22A, 22B, and 22C instructs that only one joint filer should report payments by another for household expenses. Forms 22A and 22C are amended to delete references to “household” and “household size” and are replaced by “number of persons” or “family size.” Finally, Form 22A directs debtors in joint cases to file separate forms only if one of the debtors is entitled to a Part I exemption.



### **New Address for IRS**

Effective January 1, 2011, the new address for IRS notices will be:

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

(replacing PO Box 21126)

Bankruptcy notices and all correspondence pertaining to bankruptcy cases should be sent to this new address. The IRS is notifying courts, trustees, and attorneys of this change. The IRS toll-free telephone number will remain the same (800-913-9358). However, the number for facsimile transmission will change to 267-941-1015. For questions regarding this transition, please contact Denise Valdez, IRS, at 202-283-2292.



### **Redaction of Personally Identifiable Information (Reprinted)**

The Clerk’s Office continues to receive calls from attorneys who have filed documents with personally identifiable information—such as the debtor’s Social Security Number. To rectify the accidental filing of personally identifiable information, please review the November 2009 edition of the ECFiler, which included the following steps:

1. Prepare an Application to Restrict Personally Identifiable Information.
2. Prepare a redacted version of the ENTIRE document that contained the personally identifiable information. A redacted version that includes only the page with the redacted information WILL NOT be accepted.

3. File the Application and redacted pleading as an Attachment using the CM/ECF event, Bankruptcy > Motions/Applications > Restrict Personal Information.
4. Prepare and upload an Order Restricting Personally Identifiable Information.

After the order is signed, the Court will restrict public access to the original document and will replace it with the redacted attachment.

Please remember: When you logon to CM/ECF, you must certify that you have redacted personally identifiable information.



### CM/ECF Toolbar Help (Reprinted)

If uncertain about which event to use when filing in CM/ECF, use the Search Feature. Search is available on the CM/ECF toolbar in blue at the top of the screen. To search for an event, click Search and then type part of the name in the Search Menus and Events pop up box. Then hit enter.

A search will be returned with links to possible search matches. Click the link to go to the suggested event.

Also, if you need help, please use the ECF Attorney Manual that is available on the Court's website at <http://www.okwb.uscourts.gov/attymanual/>.



### Corrective Entry Reminders

To AVOID having corrective entries docketed in your cases, read and observe the following suggestions:

1. Always include a **caption** on pleadings.
2. **Upload orders** using the appropriate category events—either Bankruptcy or Adversary. A proposed order in an adversary case should not be uploaded using the event found under bankruptcy.
3. **DO NOT** use the **generic** and **miscellaneous events** for filing in CM/ECF when a specific event is available. For example, attorneys have misused the generic and/or miscellaneous events to file changes of address, financial reports, and motions. If you are unsure of the CM/ECF event to use, click **Search on the CM/ECF tool bar** and enter a word associated with the event you wish to file. CM/ECF will provide a list of events.
4. Do not attach a **locked transcript** to a filing. Locked transcripts are designated with a lock beside the docket entry.

5. When filing a **Motion and an Objection** that is prepared as one pleading, please docket the pleading twice—as a Motion and as an Objection.
6. Pursuant to Rule 11 of the FRCP, every document must be signed by the filing attorney. If petition documents are not filed simultaneously, a coversheet with the attorney’s personal or electronic signature is required with each subsequent filing. For example, if only the first three pages of the petition are filed on Monday and the Schedules are filed on Tuesday, a coversheet personally or electronically signed by the filing attorney must be included. **Monthly operating reports** must have the signature of the filing attorney.
7. Pursuant to Local Court Rule 1009, **amendments** to documents must be “verified or contain an unsworn declaration to the same extent as required in the original document.” Signatures of the debtor(s) and filing attorney may be personal or electronic.
8. Ensure that all **Certificates of Service** are correct by reviewing the Court’s template located at [www.okwb.uscourts.gov](http://www.okwb.uscourts.gov), Court > Resources > Forms and reviewing Local Forms, 2, Certificate of Service.
9. If a document is filed requiring the payment of a **filing fee** but the filer uses the wrong event to file the document, the filing fee is not assessed. When the Clerk’s Office discovers this error, the Case Administrator docket an event, **Filing Fee Due**. To pay the filing fee, an attorney must:
  - File the event, Bankruptcy > Other > **Filing Fee Paid**.
  - After the event Filing Fee Due is filed, the filing fee may be paid using Pay.gov.
  - If the filing fee is not paid, the CM/ECF login of the attorney will be suspended until the filing fee is paid.